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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/576,462	05/23/2000	Cliff Burke Thompson	22851-P001US	4101

29444 7590 03/03/2006

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EXAMINER
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REAGAN, JAMES A

ART UNIT	PAPER NUMBER
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3621

DATE MAILED: 03/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Art Unit: 3621

1. This communication is in response to the ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER entered in the record on 16 February 2006. Here the reviewer noted that there appears to be no indication that the Examiner complied with the requirements of the Remand to the Examiner mailed April 29, 2005.
2. It appears that a scanning error has occurred. The two documents scanned and entered on 20 September 2005 have been flipped and entered in reverse order. Note that on 20 September 2005 the BPAI remanded the Examiner's Answer of 29 June 2004. Also entered into the record on 20 September 2005 was the revised Examiner's Answer in which the requirements set out by the BPAI were adhered to by the Examiner. This document is dated 20 September 2005. Apparently, because the original remand by the BPAI (29 April 2005) was not properly scanned in due time, the reviewing entity overlooked the revised Examiner's Answer (20 September 2005). This matter has been brought to the attention of the BPAI and is being corrected as of the mailing of this communication.
3. Furthermore, the Examiner notes the Appellant's Amendment After Appeal (18 November 2005), in which the Appellant has amended claims 24 and 47 in order to overcome the new rejections under 35 U.S.C. § 101 and 35 U.S.C. § 112. These amendments have overcome the rejections of claims 24-26 and 46-50 under 35 U.S.C. § 101 and the rejection of claim 47 under 35 U.S.C. § 112, and thusly are successful in **RENDERING THE REJECTIONS MOOT**.
4. This application now stands ready for review by the BPAI. Appellant is respectfully requested to respond to this communication by acknowledging this series of events.

Art Unit: 3621

Any inquiry of a general nature or relating to the status of this application or concerning this communication or earlier communications from the Examiner should be directed to **James A. Reagan** whose telephone number is **571.272.6710**. The Examiner can normally be reached on Monday-Friday, 9:30am-5:00pm. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, **James Trammell** can be reached at **571.272.6712**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://portal.uspto.gov/external/portal/pair> . Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at **866.217.9197** (toll-free).

Any response to this action should be mailed to:

**Commissioner of Patents and Trademarks**

**Washington, D.C. 20231**

or faxed to:

**571-273-8300** [Official communications, After Final communications labeled "Box AF"]

**571-273-8300** [Informal/Draft communications, labeled "PROPOSED" or "DRAFT"]

Hand delivered responses should be brought to the **United States Patent and Trademark Office Customer Service Window**:

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JAMES A. REAGAN

Primary Examiner

Art Unit 3621

